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**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

STANLEY D. BLONDEK
9085 Trumbauer Way
Elk Grove, CA 95758

Respondent.

Case No. X48

OAH No.

**DEFAULT DECISION
AND ORDER**

[Gov. Code, § 11520]

FINDINGS OF FACT

1. On or about April 17, 2002, Complainant Thomas S. O'Connor, in his official capacity as Executive Officer of the Board of Psychology, Department of Consumer Affairs, State of California, filed Statement of Issues No. X48 against Stanley D. Blondek (Respondent) before the Board of Psychology (Board).

2. On or about January 13, 1992, Respondent filed an application with the Board, dated January 13, 1992, to obtain Psychologist's license.

3. On or about May 29, 2001, the Board issued a letter denying Respondent's application for a Psychologist's license. On or about July 12, 2001, Respondent appealed the Board's denial of his application and requested a hearing.

4. On or about April 17, 2002, Mary Laackmann, an employee of the Board, served by Certified Mail a copy of the Statement of Issues No. X48; Statement to Respondent; Notice of Defense (two copies); Request for Discovery; the Board's disciplinary guidelines; and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address on the application form, which was and is 9085 Trumbauer Way, Elk Grove, CA 95758. A copy of the Statement of Issues, the related documents, and the Declaration of Service by Certified Mail are attached hereto as Exhibit "A" and are incorporated herein by reference.

5. Service of the Statement of Issues was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

1 6. Business and Professions Code section 118 states, in pertinent part:
2 “(a) The withdrawal of an application for a license after it has been filed with a
3 board in the department shall not, unless the board has consented in writing to such withdrawal,
4 deprive the board of its authority to institute or continue a proceeding against the applicant for
5 the denial of the license upon any ground provided by law or to enter an order denying the license
6 upon any such ground.”

7 7. Government Code section 11506 states, in pertinent part:
8 “(c) The respondent shall be entitled to a hearing on the merits if the respondent
9 files a notice of defense, and the notice shall be deemed a specific denial of all parts of the
10 accusation not expressly admitted. Failure to file a notice of defense shall constitute a waiver of
11 respondent's right to a hearing, but the agency in its discretion may nevertheless grant a hearing.”

12 8. Respondent failed to file a Notice of Defense within 15 days after service
13 upon him of the Statement of Issues, and therefore waived his right to a hearing on the merits of
14 Statement of Issues No. X48.

15 9. California Government Code section 11520 states, in pertinent part:
16 “(a) If the respondent either fails to file a notice of defense or to appear at the
17 hearing, the agency may take action based upon the respondent's express admissions or upon
18 other evidence and affidavits may be used as evidence without any notice to respondent; and
19 where the burden of proof is on the respondent to establish that the respondent is entitled to the
20 agency action sought, the agency may act without taking evidence.”

21 10. Pursuant to its authority under Government Code section 11520, the Board
22 finds Respondent is in default. The Board will take action without further hearing and, based on
23 Respondent's express admissions by way of default and the evidence before it, contained in
24 Exhibit “A,” finds that the allegations, and each of them, in Statement of Issues No. X48 are true.

25 DETERMINATION OF ISSUES

26 1. Based on the foregoing findings of fact, Respondent has subjected his
27 application for a Psychologist’s license to denial.
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2. Service of Statement of Issues No. X48 and related documents was proper and in accordance with the law.

3. The Board has jurisdiction to adjudicate this case by default.

4. The Board is authorized to deny Respondent's application for licensure based upon the following violations alleged in the Statement of Issues:

a. Bus. & Prof. Code section 480 (a) (2) [Dishonesty, Fraud and/or Deceit];

b. Bus. & Prof. Code section 480 (a) (3) [Act Which, if Done by Licentiate, Would Be Grounds for Discipline];

c. Bus. & Prof. Code section 2960 (j), [Gross Negligence];

d. Bus. & Prof. Code section 2960 (p), [Functioning Outside the Field of Competence].


ORDER

IT IS SO ORDERED that the application of Respondent Stanley D. Blondek is hereby denied.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on August 17, 2002.

It is so ORDERED July 18, 2002


FOR THE BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
PAMELA HARMELL, Ph.D., VICE-PRESIDENT (ACTING PRESIDENT)

Attachments:

Exhibit A - Statement of Issues No.X48, Related Documents, and Declaration of Service by Certified Mail

EXHIBIT A

Exhibit A

Statement of Issues No. X48, Related Documents,
and Declaration of Service by Certified Mail

FILED
STATE OF CALIFORNIA
BOARD OF PSYCHOLOGY
SACRAMENTO April 17 20 02
BY M. Laackman ANALYST

BILL LOCKYER, Attorney General
of the State of California
GAIL M. HEPPELL, Supervising
Deputy Attorney General
STEPHEN M. BOREMAN, State Bar No. 161498
Deputy Attorney General
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Attorneys for Complainant

BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

Case No. X48

STANLEY D. BLONDEK
9085 Trumbauer Way
Elk Grove, CA 95758

STATEMENT OF ISSUES

Respondent.

Complainant alleges:

PARTIES

1. Thomas S. O'Connor (Complainant) brings this statement of issues solely in his official capacity as the Executive Officer of the Board of Psychology, Department of Consumer Affairs.
2. On or about January 13, 1992, Stanley D. Blondek (Respondent) submitted an application for a Psychologist's license to the Board of Psychology. The application was denied on or about May 29, 2001.

JURISDICTION

3. This Statement of Issues is brought before the Board of Psychology (Board), under the authority of the following sections of the Business and Professions Code (Code).

COPY

1 4. Section 2960 of the Code states:

2 The board may refuse to issue any registration or license, or may issue a
3 registration or license with terms and conditions, or may suspend or revoke the
4 registration or license of any registrant or licensee if the applicant, registrant, or licensee
5 has been guilty of unprofessional conduct. Unprofessional conduct shall include, but not
6 be limited to:

7 (a) Conviction of a crime substantially related to the qualifications, functions or
8 duties of a psychologist or psychological assistant.

9 (b) Use of any controlled substance as defined in Division 10 (commencing with
10 Section 11000) of the Health and Safety Code, or dangerous drug, or any alcoholic
11 beverage to an extent or in a manner dangerous to himself or herself, any other person, or
12 the public, or to an extent that this use impairs his or her ability to perform the work of a
13 psychologist with safety to the public.

14 (c) Fraudulently or neglectfully misrepresenting the type or status of license or
15 registration actually held.

16 (d) Impersonating another person holding a psychology license or allowing
17 another person to use his or her license or registration.

18 (e) Using fraud or deception in applying for a license or registration or in passing
19 the examination provided for in this chapter.

20 (f) Paying, or offering to pay, accepting, or soliciting any consideration,
21 compensation, or remuneration, whether monetary or otherwise, for the referral of clients.

22 (g) Violating Section 17500.

23 (h) Willful, unauthorized communication of information received in professional
24 confidence.

25 (i) Violating any rule of professional conduct promulgated by the board and set
26 forth in regulations duly adopted under this chapter.

27 (j) Being grossly negligent in the practice of his or her profession.

28 (k) Violating any of the provisions of this chapter or regulations duly adopted

1 thereunder.

2 (l) The aiding or abetting of any person to engage in the unlawful practice of
3 psychology.

4 (m) The suspension, revocation or imposition of probationary conditions by
5 another state or country of a license or certificate to practice psychology or as a
6 psychological assistant issued by that state or country to a person also holding a license or
7 registration issued under this chapter if the act for which the disciplinary action was taken
8 constitutes a violation of this section.

9 (n) The commission of any dishonest, corrupt, or fraudulent act.

10 (o) Any act of sexual abuse, or sexual relations with a patient or former patient
11 within two years following termination of therapy, or sexual misconduct that is
12 substantially related to the qualifications, functions or duties of a psychologist or
13 psychological assistant or registered psychologist.

14 (p) Functioning outside of his or her particular field or fields of competence as
15 established by his or her education, training, and experience.

16 (q) Willful failure to submit, on behalf of an applicant for licensure, verification
17 of supervised experience to the board.

18 (r) Repeated acts of negligence.

19 5. Section 480 of the Code states:

20 "(a) A board may deny a license regulated by this code on the grounds that the
21 applicant has one of the following:

22 "(1) Been convicted of a crime. A conviction within the meaning of this section
23 means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action
24 which a board is permitted to take following the establishment of a conviction may be taken
25 when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal,
26 or when an order granting probation is made suspending the imposition of sentence, irrespective
27 of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

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1 "(2) Done any act involving dishonesty, fraud or deceit with the intent to
2 substantially benefit himself or another, or substantially injure another; or

3 "(3) Done any act which if done by a licentiate of the business or profession in
4 question, would be grounds for suspension or revocation of license.

5 "The board may deny a license pursuant to this subdivision only if the crime or act
6 is substantially related to the qualifications, functions or duties of the business or profession for
7 which application is made.

8 "(b) Notwithstanding any other provision of this code, no person shall be denied a
9 license solely on the basis that he has been convicted of a felony if he has obtained a certificate of
10 rehabilitation under Section 4852.01 and following of the Penal Code or that he has been
11 convicted of a misdemeanor if he has met all applicable requirements of the criteria of
12 rehabilitation developed by the board to evaluate the rehabilitation of a person when considering
13 the denial of a license under subdivision (a) of Section 482.

14 "(c) A board may deny a license regulated by this code on the ground that the
15 applicant knowingly made a false statement of fact required to be revealed in the application for
16 such license."

17 6. Section 2936 of the Code provides, in part, that the Board shall apply the
18 American Psychological Association's (APA) Code of Ethics as its standards of ethical conduct
19 relating to the practice of psychology.

20 7. Section 2964.6 of the Code states:

21 An administrative disciplinary decision that imposes terms of probation may
22 include, among other things, a requirement that the licensee who is being placed on probation
23 pay the monetary costs associated with monitoring the probation.

24 8. Section 125.3 of the Code states, in pertinent part, that the Board may
25 request the administrative law judge to direct a licentiate found to have committed a violation or
26 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
27 and enforcement of the case.

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1 FIRST CAUSE FOR DENIAL OF APPLICATION

2 (Dishonesty, Fraud, and/or Deceit)

3 [Bus. & Prof. Code Section 480 (a) (2)]

4 9. Respondent's application is subject to denial under section 480 (a) (2) of
5 the Code, in that Respondent testified falsely, under oath, in a Santa Cruz County Superior Court,
6 misrepresented to that court his credentials as an expert, and misrepresented the results of
7 psychological testing of a minor client, on which Respondent testified, in court, that he based his
8 expert opinion.

9 a. On or about January 13, 1992, Respondent applied to the Board of
10 Psychology for a license as a psychologist, claiming a Bachelor's degree in "Liberal Studies," a
11 Master's degree in 1990, and a Doctor of Psychology degree in 1991, all from Newport
12 University, a correspondence school, and accumulation of 3,000 hours of supervised experience
13 in psychology between November of 1991 and January of 1992¹. Respondent did not complete a
14 master's thesis nor doctoral dissertation as part of his graduate studies with Newport University.
15 Respondent was employed by El Dorado County as a substance abuse counselor at the County
16 Juvenile Hall between November of 1992 and September of 1993. In or about September of
17 1993, Respondent was terminated from his position with El Dorado County for failure to pass
18 probation due to job performance. In or about November of 1993, Respondent became employed
19 by the California Youth Authority (CYA), N. A. Chaderjian Youth Correctional Facility,
20 Stockton, CA, as an unlicensed Clinical Staff Psychologist, with permanent status contingent
21 upon acquiring a license as a psychologist. Respondent represented to the CYA that he left
22 El Dorado County because he was over-qualified for the position he held there. Respondent sat
23 for, and failed, the psychologist written examination for licensure in 1993, 1994, 1995, 1996 and
24 1997. In or about June of 1999, Respondent testified in Superior Court for the County of Santa
25 Cruz in the matter of *The People of the State of California vs. Donald Gerald Schmidt*, Case No.
26 J-12696. In or about October of 1999, Respondent was terminated from employment with CYA

27
28 1. There are approximately 1,440 hours in a two-month period, making inexplicable
Respondent's claim of 3,000 accumulated hours of supervised experience in such time period.

1 due to his failure to acquire a psychologist's license.

2 b. Respondent testified under oath in the matter of *People v. Schmidt*, cited
3 above, as a purported expert in the field of psychological treatment of juvenile offenders. In
4 sworn testimony, Respondent claimed to have completed in excess of 26,000 hours of relevant
5 experience and education during the period between 1988 and 1991.² Respondent testified on
6 behalf of Mr. Schmidt, for whom a hearing was being held to determine his date of release as an
7 adult from CYA, where he was being held following juvenile adjudication for the rape and
8 murder of a three-year-old girl when he was sixteen years old. Respondent testified that, in his
9 expert opinion, Mr. Schmidt was no longer a danger to society and should not be held after his
10 twenty-fifth birthday pursuant to statutory authority. Respondent testified further that his opinion
11 and professional conclusions were contained in a report Respondent prepared relative to Mr.
12 Schmidt in or about August of 1998. Respondent testified that his report and conclusions were
13 supported by psychological tests Respondent had administered to Mr. Schmidt.³ Respondent
14 asserted, under oath, that the tests showed that Mr. Schmidt did not have "sadistic features"
15 (which would make him a danger to society). The tests in question, however, were administered
16 after Respondent had prepared his report on Mr. Schmidt. Following a court order to produce the
17 computer-generated narrative evaluations of said tests, Respondent thereafter failed to produce
18 the evaluations, in violation of the court's order. When Respondent finally produced the
19 narrative evaluations in subsequent contempt proceedings, the evaluations indicated that Mr.
20 Schmidt does indeed have "sadistic features," contrary to Respondent's testimony about the test
21 results.

22 c. Respondent further testified in *People v. Schmidt* that he had been
23 qualified previously as an expert in six separate proceedings in six different counties, which
24

25 2. Respondent claimed to have worked or studied a total of approximately 26,134 hours
26 during a three-year time period, where there are 26,280 hours available, leaving 146 hours total
for Respondent to have slept, eaten and engaged in other basics of life over a three-year period.

27 3. Mr. Schmidt was administered an "MMPI" psychological test on November 2, 1998,
28 and the "Millon" psychological test in or about October of 1998. Both tests are utilized as
psychological tools to evaluate human behavior.

1 matters Respondent cited on his resume as qualifying him as an expert. On cross-examination,
2 Respondent admitted that he had never testified in five of the six matters he referenced, and that
3 he could not identify the sixth case.

4 d. On or about June 8, 1999, Deputy District Attorney Ariadne Symons,
5 County of Santa Cruz, in the matter of *People v. Schmidt*, cited *supra*, filed a Motion to Strike
6 the Testimony of Dr. Stan Blondek. In said motion, the people argued that, based on his
7 testimony, Respondent Stan Blondek is "a charlatan," and moreover, that Respondent was
8 incompetent as an expert witness, that his testimony under oath was dishonest, and that
9 Respondent had failed to produce documentation (test narratives) which he claimed would
10 support his opinion(s), despite the court's order to do so. The people based their motion and
11 argument, inter-alia, on Respondent's testimony, cited above, regarding the number of hours he
12 worked and studied between 1988 and 1991, his testimony regarding his psychological testing of
13 Mr. Schmidt and Respondent's August 1998 report on same, as well as Respondent's admissions
14 regarding his lack of experience as an expert testifying in court. On or about June 8, 1999, the
15 Honorable Judge Thomas E. Kelly, Superior Court for the County of Santa Cruz, held that
16 Respondent is "neither competent nor credible as an expert witness." Judge Kelly stated further,
17 for the record, "Never in all of the years I have been on the bench have I ever seen a less
18 competent expert witness." Judge Kelly scheduled a contempt proceeding for Respondent
19 thereafter.

20 e. On or about August 8, 1999, Judge Kelly conducted a contempt hearing
21 for Respondent, in which Judge Kelly found "beyond a reasonable doubt" that Respondent had
22 wilfully and deliberately withheld discovery to which the People of the State of California had a
23 right, and had selectively responded to the court's order seeking documentation relative to
24 Respondent's testimony in the matter of *People v. Schmidt*, cited *supra*, with intent to frustrate
25 the processes of the court. Judge Kelly sentenced Respondent to two days in jail and a monetary
26 fine, with the jail sentence to begin immediately. Respondent did not contest the court's
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28

1 findings.⁴

2 SECOND CAUSE FOR DENIAL OF APPLICATION

3 (Act which, if done by licentiate, would be grounds for suspension or revocation)
4 [Bus. & Prof. Code Section 480 (a) (3)]

5 10. Complainant re-alleges paragraph 9 (a) through (e), above, and
6 incorporates it by reference as if fully set forth at this point.

7 11. Respondent's application is subject to denial under section 480 (a) (3) of
8 the Code, in that the commission of a dishonest or corrupt act, as alleged in the First Cause for
9 Denial of Application, above, would be grounds for the suspension or revocation of a licentiate's
10 certificate.

11 THIRD CAUSE FOR DENIAL OF APPLICATION

12 (Gross Negligence)
13 [Bus. & Prof. Code Section 2960 (j)]

14 12. Complainant re-alleges paragraph 9 (a) through (e), above, and
15 incorporates it by reference as if fully set forth at this point.

16 13. Respondent's application is subject to denial under section 2960 (j) of the
17 Code, in that Respondent's sworn testimony regarding Donald Gerald Schmidt's MMPA and
18 Millon test results, and the level of danger Mr. Schmidt presents to society, constituted an
19 extreme departure from the applicable standard of care.

20 FOURTH CAUSE FOR DENIAL OF APPLICATION

21 (Functioning Outside the Field of Competence)
22 [Bus. & Prof. Code Section 2960 (p)]

23 14. Complainant re-alleges paragraph 9 (a) through (e), above, and
24 incorporates it by reference as if fully set forth at this point.

25 15. Respondent's application is subject to denial under section 2960 (p) of the
26 Code, in that Respondent presented himself to a court of law as an expert witness in the field of
27 clinical psychology when, in fact, he was not competent to do so.

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4. See *The People of the State of California v. Stan Kuhio Blondek*, Superior Court of California, County of Santa Cruz, August 8, 1999.

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1. Denying the application of Stanley D. Blondek for a Psychologist's license; and

DATED: April 17, 2002

THOMAS S. O'CONNOR
Executive Officer
Board of Psychology
Department of Consumer Affairs
State of California

Complainant

1 BILL LOCKYER, Attorney General
of the State of California
2 GAIL M. HEPPELL, Supervising
Deputy Attorney General
3 STEPHEN M. BOREMAN, State Bar No. 161498
Deputy Attorney General
4 California Department of Justice
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 445-8383
Facsimile: (916) 327-2247

7 Attorneys for Complainant
8

9
10 **BEFORE THE**
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues Against:

Case No. X48

13 **STANLEY D. BLONDEK**
9085 Trumbauer Way
14 Elk Grove, CA 95758

REQUEST FOR DISCOVERY

[Gov. Code § 11507.6]

15 Respondent.
16

17 TO RESPONDENT:

18 Under section 11507.6 of the Government Code of the State of California, parties
19 to an administrative hearing, including the Complainant, are entitled to certain information
20 concerning the opposing party's case. A copy of the provisions of section 11507.6 of the
21 Government Code concerning such rights is included among the papers served.

22 PURSUANT TO SECTION 11507.6 OF THE GOVERNMENT CODE, YOU
23 ARE HEREBY REQUESTED TO:

- 24 1. Provide the names and addresses of witnesses to the extent known to the
25 Respondent, including, but not limited to, those intended to be called to testify at the hearing, and
26 2. Provide an opportunity for the Complainant to inspect and make a copy of any of
27 the following in the possession or custody or under control of the Respondent:

28 ///

1 a. A statement of a person, other than the Respondent, named in the initial
2 administrative pleading, or in any additional pleading, when it is claimed that the act or
3 omission of the Respondent as to this person is the basis for the administrative
4 proceeding;

5 b. A statement pertaining to the subject matter of the proceeding made by any
6 party to another party or persons;

7 c. Statements of witnesses then proposed to be called by the Respondent and
8 of other persons having personal knowledge of the acts, omissions or events which are the
9 basis for the proceeding, not included in (a) or (b) above;

10 d. All writings, including but not limited to reports of mental, physical and
11 blood examinations and things which the Respondent now proposes to offer in evidence;

12 e. Any other writing or thing which is relevant and which would be
13 admissible in evidence, including but not limited to, any patient or hospital records
14 pertaining to the persons named in the pleading;

15 f. Investigative reports made by or on behalf of the Respondent pertaining to
16 the subject matter of the proceeding, to the extent that these reports (1) contain the names
17 and addresses of witnesses or of persons having personal knowledge of the acts,
18 omissions or events which are the basis for the proceeding, or (2) reflect matters
19 perceived by the investigator in the course of his or her investigation, or (3) contain or
20 include by attachment any statement or writing described in (a) to (e), inclusive, or
21 summary thereof.

22 For the purpose of this Request for Discovery, "statements" include written
23 statements by the person, signed, or otherwise authenticated by him or her, stenographic,
24 mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person,
25 and written reports or summaries of these oral statements.

26 YOU ARE HEREBY FURTHER NOTIFIED that nothing in this Request for
27 Discovery should be deemed to authorize the inspection or copying of any writing or thing which
28 is privileged from disclosure by law or otherwise made confidential or protected as attorney's

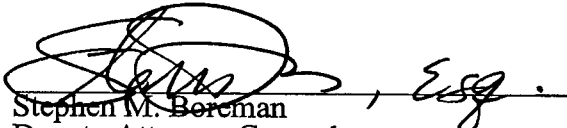
1 work product.

2 Your response to this Request for Discovery should be directed to the undersigned
3 attorney for the Complainant at the address on the first page of this Request for Discovery **within**
4 **30 days after service** of the Statement of Issues.

5 Failure without substantial justification to comply with this Request for Discovery
6 may subject the Respondent to sanctions pursuant to sections 11507.7 and 11455.10 to 11455.30
7 of the Government Code.

8 DATED: April 5, 2002

9 BILL LOCKYER, Attorney General
10 of the State of California

11 
12 Stephen M. Berman, Esq.
13 Deputy Attorney General

14 Attorneys for Complainant
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1 BILL LOCKYER, Attorney General
of the State of California
2 GAIL M. HEPPELL, Supervising
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10 **BEFORE THE**
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Statement of Issues Against:

13 **STANLEY D. BLONDEK**
9085 Trumbauer Way
14 Elk Grove, CA 95758

15 Respondent.
16

Case No. X48

STATEMENT TO RESPONDENT

[Gov. Code §§ 11504, 11505(b)]

17 **TO RESPONDENT:**

18 Enclosed is a copy of the Statement of Issues that has been filed with the Board of
19 Psychology of the Department of Consumer Affairs (Board), and which is hereby served on you.

20 Unless a written request for a hearing signed by you or on your behalf is delivered
21 or mailed to the Board, represented by Deputy Attorney General Stephen M. Boreman, within
22 fifteen (15) days after a copy of the Statement of Issues was personally served on you or mailed
23 to you, you will be deemed to have waived your right to a hearing in this matter and the Board
24 may proceed upon the Statement of Issues without a hearing and may take action thereon as
25 provided by law.

26 The request for hearing may be made by delivering or mailing one of the enclosed
27 forms entitled "Notice of Defense," or by delivering or mailing a Notice of Defense as provided
28 in section 11506 of the Government Code, to

1 Stephen M. Boreman
2 Deputy Attorney General
3 1300 I Street, Suite 125
4 P.O. Box 944255
5 Sacramento, California 94244-2550.

6 You may, but need not, be represented by counsel at any or all stages of these
7 proceedings.

8 The enclosed Notice of Defense, if signed and filed with the Board, shall be
9 deemed a specific denial of all parts of the Statement of Issues, but you will not be permitted to
10 raise any objection to the form of the Statement of Issues unless you file a further Notice of
11 Defense as provided in section 11506 of the Government Code within fifteen (15) days after
12 service of the Statement of Issues on you.

13 If you file any Notice of Defense within the time permitted, a hearing will be held
14 on the charges made in the Statement of Issues.

15 The hearing may be postponed for good cause. If you have good cause, you are
16 obliged to notify the Office of Administrative Hearings, 560 J Street, Suite 340/360, Sacramento,
17 California 95814, within ten (10) working days after you discover the good cause. Failure to
18 notify the Office of Administrative Hearings within ten (10) days will deprive you of a
19 postponement.

20 Copies of sections 11507.5, 11507.6, and 11507.7 of the Government Code are
21 enclosed.

22 If you desire the names and addresses of witnesses or an opportunity to inspect
23 and copy the items mentioned in section 11507.6 of the Government Code in the possession,
24 custody or control of the Board you may send a Request for Discovery to the above designated
25 Deputy Attorney General.

26 **NOTICE REGARDING STIPULATED SETTLEMENTS**

27 It may be possible to avoid the time, expense and uncertainties involved in an
28 administrative hearing by disposing of this matter through a stipulated settlement. A stipulated
 settlement is a binding written agreement between you and the government regarding the matters

1 charged and the discipline to be imposed. Such a stipulation would have to be approved by the
2 Board of Psychology but, once approved, it would be incorporated into a final order.

3 Any stipulation must be consistent with the Board's established disciplinary
4 guidelines; however, all matters in mitigation or aggravation will be considered. A copy of the
5 Board's Disciplinary Guidelines will be provided to you on your written request to the state
6 agency bringing this action.

7 If you are interested in pursuing this alternative to a formal administrative hearing,
8 or if you have any questions, you or your attorney should contact Deputy Attorney General
9 Stephen M. Boreman at the earliest opportunity.

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**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

STANLEY D. BLONDEK

9085 Trumbauer Way
Elk Grove, CA 95758

Respondent.

Case No. X48

NOTICE OF DEFENSE

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Statement of Issues; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Notice from Respondent / Applicant, and Complainant's Request for Discovery.

I hereby request a hearing to permit me to present my defense to the charges contained in the Statement of Issues.

DATED: _____

Respondent's Name

Respondent's Signature

Respondent's Mailing Address

City, State and Zip Code

Respondent's Telephone Number

Check appropriate box:

- ☐ I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name

Counsel's Mailing Address

City, State and Zip Code

Counsel's Telephone Number

- ☐ I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Statement of Issues may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

**BEFORE THE
BOARD OF PSYCHOLOGY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

STANLEY D. BLONDEK

9085 Trumbauer Way
Elk Grove, CA 95758

Respondent.

Case No. X48

NOTICE OF DEFENSE

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Statement of Issues; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Notice from Respondent / Applicant, and Complainant's Request for Discovery.

I hereby request a hearing to permit me to present my defense to the charges contained in the Statement of Issues.

DATED: _____

Respondent's Name

Respondent's Signature

Respondent's Mailing Address

City, State and Zip Code

Respondent's Telephone Number

Check appropriate box:

- ☐ I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name

Counsel's Mailing Address

City, State and Zip Code

Counsel's Telephone Number

- ☐ I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Statement of Issues may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

COPY OF GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7
PROVIDED PURSUANT TO GOVERNMENT CODE SECTIONS 11504 AND 11505

SECTION 11507.5: Exclusivity of discovery provisions

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

SECTION 11507.6: Request for discovery

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

SECTION 11507.7: Petition to compel discovery; Order; Sanctions

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of Section 915 of the Evidence Code and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Statement of
Issues Against:

Stanley D. Blondek

No.: X48

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Sacramento, California 95825. I served a true copy of the attached:

STATEMENT TO RESPONDENT; STATEMENT OF ISSUES; GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7; NOTICE OF DEFENSE (2 COPIES); REQUEST FOR DISCOVERY; AND DISCIPLINARY GUIDELINES

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Stanley D. Blondek
9085 Trumbauer Way
Elk Grove, CA 95758

7001 2510 0001 2147 4661

Stephen D. Boreman
Deputy Attorney General
1300 I St., Ste. 125
Sacramento, CA 95814

Each said envelope was then, on April 17, 2002, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, April 17, 2002, at Sacramento, California.
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


DECLARANT
Mary Laackmann

COPY

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Stanley D. Blondek
9085 Trumbauer Way
Elk Grove, CA 95758

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

STAN BLONDEK

May 4, 2002

C. Signature

[Signature]

☐ Agent

☒ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7001 2510 0001 2147 4661

PS Form 3811, July 1999

SOI

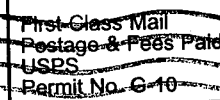
Domestic Return Receipt

01

123455

102595-00-M-0952

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

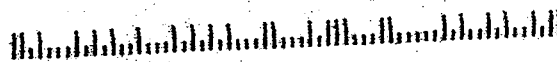
• Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED
BOARD OF PSYCHOLOGY

02 MAY - 1 PM 2:35

Board of Psychology
1422 Howe Ave., Ste. 22
Sacramento, CA 95825-3200
ATTN: Mary Laackmann

95825+3200



DECLARATION OF SERVICE BY CERTIFIED MAIL

In the Matter of the Statement of Issues Filed
Against:

Stanley D. Blondek

No. : X48

I, the undersigned, declare that I am over 18 years of age and not a party to the within cause; my business address is 1422 Howe Avenue, Ste. 22 Sacramento, California 95825. I served a true copy of the attached:

DEFAULT DECISION AND ORDER

by mail on each of the following, by placing same in an envelope (or envelopes) addressed (respectively) as follows:

NAME AND ADDRESS

CERT NO.

Stanley D. Blondek
9085 Trumbauer Way
Elk Grove, CA 95758

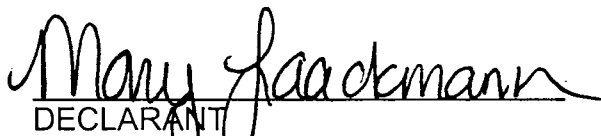
7001 2510 0001 2147 4333

Stephen M. Boreman
Deputy Attorney General
1300 I Street, Suite 125
Sacramento, CA 94244-2550

Each said envelope was then on, July 18, 2002, sealed and deposited in the United States mail at Sacramento, California, the county in which I am employed, as certified mail, with the postage thereon fully prepaid, and return receipt requested.

Executed on, July 18, 2002, at Sacramento, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.


DECLARANT
Mary Laackmann
Enforcement Analyst